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SEP 28 2006 PATENT

Appl. No. 10/714,095
Amdt. sent September 27, 2006
Reply to Office Action of May 1, 2006

AMENDMENTS TO THE DRAWINGS:

The attached sheet of drawings includes changes to Fig. 7.

The label to the 0.1 microfarad capacitor has been changed from "C2" to "C3". This sheet, which includes Fig. 7, replaces the original sheet including Fig. 7.

Attachment: Replacement Sheet

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REMARKS/ARGUMENTS

Claims 1-37 are pending in the application. Claims 10 and 34 have been canceled in this amendment without prejudice or disclaimer.

Objections raised against the specification, abstract, drawings, and claims 31 and 34 are believed to have been addressed per the foregoing amendments. With regard to the suggestion to replace the word 'plan' with 'plane' in page 24, line 1 of the Specification (Office Action, page 4), Applicants believe 'plan view' is the accepted term of art for reference to a horizontal cross-sectional view of an object such as shown in Fig. 5 of the Specification.

The drawings were objected to in connection with Fig. 7. The reference character "C2" is duplicated. Fig. 7 has been corrected to identify the 0.1 micro-farad capacitor as "C3." Paragraph [0078] of the instant specification as originally filed has been amended accordingly. No new matter has been added.

Claims 1-25, 28, 31, 32, and 35-37 were rejected under 35 U.S.C. §103(a) as being unpatentable over Weiss, U.S. Patent No. 6,492,975 (Weiss) in view of Chou, U.S. Patent No. 6,559,396 (Chou).

Claims 26, 27, 33, and 34 are rejected under 35 U.S.C. §103(a) as being unpatentable over Weiss in view of Chou as applied respectively to claims 10 and 32, and further in view of Davis, U.S. Patent No. 4,196,429.

Claims 29 and 30 are rejected under 35 U.S.C. §103(a) as being unpatentable over Weiss in view of Chou as applied to claim 28 above, and further in view of Kato et. al., U.S. Patent No. 5,837,951.

An interview with the examiner was conducted on September 25, 2006, for which the undersigned is appreciative. Distinctions from the cited art were discussed and proposed claim language was considered.

Independent claims 1, 35, and 36 have been amended accordingly per the interview. No new matter has been added. See, for example, illustrative embodiments shown in Figs. 1 and 3.

Claim 1 substantively recites in part a device having a motion sensor where "the motion sensor is operatively coupled to a printed circuit board of the device." Claim 1 further

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recites that the motion sensor comprises "a ball contact and at least one stationary contact disposed on said printed circuit board of said device" where the ball contact is in electrical contact with the stationary contact. In other words, the construction of the recited motion sensor includes a part (i.e., printed circuit board) of the device of which the motion sensor is a component. See also claims 35 and 36.

Chou was cited for showing the recited "motion sensor"; the tilt switch 100 illustrated in Figs. 4, 5, and 7. Chou's tilt switch 100 includes a conductive ball 30, and first and second contact bodies 42 which are disposed on a lower surface shown in Fig. 5 as element 424 (also shown in Fig. 7, but not numbered). Col. 3, lines 39-42. The cross-sectional view of Fig. 7 shows that the tilt switch 100 is mounted on a support 60. Fig. 7 clearly shows that the lower surface (on which the contact bodies 42 are disposed) of Chou's tilt switch is separate from the support 60 which is presumably the support surface of a larger device of which the tilt switch is a component. Chou's tilt switch is wholly separate from the support 60, and in particular none of the tilt switch components include the support 60. Chou, therefore, does not show or suggest the recited device including a motion sensor where the "motion sensor is operatively coupled to the printed circuit board of the device" and the motion sensor comprises "a ball contact and at least one stationary contact disposed on said printed circuit board of said device."

For at least the reasons given above, Applicants believe amended independent claims 1, 35, and 36 now pending in this Application are in condition for allowance. Further, Applicants believe dependent claims 2-9, 11-33, and 37 are allowable for at least the above reasons.

CONCLUSION

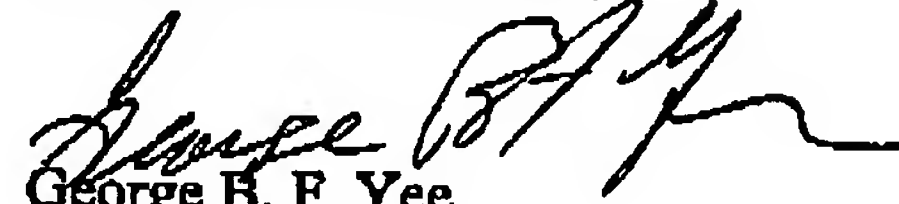
In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

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If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,


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